

REMARKS

Applicant has amended claim 1 and the disclosure and added new claims 5-7. Applicant respectfully submits that these amendments to the claims and specification are supported by the application as originally filed and do not contain any new matter. Accordingly, Applicant will discuss the rejections made in the Final Office Action dated April 10, 2003 in terms of the specification and claims as amended.

In addition to the above, Applicant respectfully submits that in the last paragraph bridging pages 8 and 9, the word in Japanese in the Japanese application as originally filed in Japan and in the priority document which has been filed in this application, the Japanese word for "diffraction" was mistakenly mistranslated as "refraction". Applicant respectfully submits that not only is the correct Japanese word contained in the application as originally filed in the country of origin, but the utilization of "refraction" instead of "diffraction" in the sentence would be recognized by one of ordinary skill in the art as being incorrect. In particular, it is an object of Applicant's invention to provide an image pickup lens that is of a single piece construction and has superior performance and has a structure in which "one of the faces of the lens 5 is formed in a Fresnel face". In such a lens that "takes images", a diffraction phenomenon is generally not utilized. If diffraction occurs in such an image taking lens, the image has a sharp drop in quality and such a construction is not preferable. The lens of Applicant's invention is one that "takes images as its object" and accordingly when making the Fresnel face, a high degree of care is needed to be taken to avoid the disadvantages of inviting diffraction. As a result, if the term "refraction" of page 9 were an accurate translation, the sentence that contains the term "refraction" does not make any sense because a Fresnel lens is a lens surface that causes refraction. As a result, there is no adverse affection due to refraction and one of ordinary skill in the art would easily know that the phrase on page 9 that reads "an adverse affection due to the refraction" is incorrect and the proper translation should have been "diffraction." Accordingly, since the correct word appears in the original Japanese application and the priority document and one of ordinary skill in the art would know that this translation was incorrect from reading the sentence, Applicant respectfully submits that the correction of the translation is not new matter and should be entered.

The Examiner has rejected claims 1 and 2 under 35 USC 102 as being anticipated by Yokoyama et al.

Applicant has carefully reviewed Yokoyama et al. and respectfully submits that the lens of Yokoyama et al. is for recording and replaying information on an optical disc using a laser beam. In contrast thereto, Applicant's invention as now claimed is an image pickup lens used in a camera that utilizes an image pickup element. Still further, Applicant respectfully submits that the micro Fresnel lens of Yokoyama et al. is for the purpose of diffracting the light and is in fact a diffraction grating lens system (see col. 4, line 6). In contrast thereto, the Fresnel lens of Applicant's invention is for imaging.

In view of the above, therefore, Applicant respectfully submits that Yokoyama et al. does not show each and every element of Applicant's invention and claims 1 and 2 are not anticipated thereby.

The Examiner has further rejected claims 3 and 4 under 35 USC 103 as being obvious over Yokoyama et al. in view of Morgan, stating that Yokoyama et al. discloses all of Applicant's invention except for the image pickup lens of two pieces bonded together; Morgan discloses a two piece lens bonded together; and it would have been obvious to one of ordinary skill in the art to modify Yokoyama et al. in view of the teachings of Morgan.

Applicant has carefully reviewed Morgan and respectfully submits that while Morgan may disclose bonding two lens pieces together, the lens pieces of Morgan are spherical lenses and not aspherical as claimed in Applicant's invention. In addition, Applicant would like to incorporate by reference his comments above concerning Yokoyama et al. and Applicant invention.

In view of the above, therefore, Applicant respectfully submits that claims 3 and 4 are not obvious over Yokoyama et al. in view of Morgan. In addition, Applicant has newly added claims 5-7 and Applicant respectfully submits that these added claims are not anticipated by nor obvious over Yokoyama et al. and Morgan, taken singly or in combination.

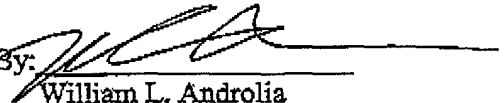
Applicant further respectfully and retroactively requests a one-month extension of time so as to respond to the Office Action. Please charge Deposit Account No. 11-1445 in the sum of \$110.00 as the fee.

In view of the above, therefore, it is respectfully requested that this Amendment be entered as part of this RCE, favorably considered and the case passed to issue.

Please charge any additional costs incurred by or in order to implement this Amendment or required by any requests for extensions of time to KODA & ANDROLIA DEPOSIT ACCOUNT NO. 11-1445.

Respectfully submitted,

KODA & ANDROLIA

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